REMARKS

In an office action dated 10 February 2005, the Examiner rejects claims 1-10 (all pending claims). In response to the office action, Applicants amend claims 8 and 9. Applicants also respectfully traverse the Examiner's rejection. Claims 1-10 remain in the application. In light of the following argument, Applicants respectfully request that claims 1-10 (all pending claims) and this application be allowed.

Applicants have amended claim 8 to correct the antecedent problem pointed out by the Examiner. Therefore, Applicants respectfully request that the rejection of claim 8 be removed.

The Examiner rejects claims 9 and 10 under 35 U.S.C. § 101. Applicants have amended claim 1 to make clear that the method is performed by a processing system. Furthermore claim 9 clearly recites receiving an input file in a database which is clear that that this claim is performed by a database system. Therefore, claim 9 meets the requirements of 35 U.S.C. §101 in which a method performed by the database is recited. The addition of in processing system clarifies that Applicants intend for the following steps to be performed in a processing system Thus, Applicants respectfully request that this rejection of claims 9 and 10 be removed.

The Examiner rejects claims 1,2 and 5-10 under 35 USC §102 (b) as being unpatentable over U.S. Patent Number 5,950,190 issued to Yeager et al. (Yeager). To anticipate a claim under 35 U.S.C. § 102, a single source must contain all of the elements of the claim. *Lewmar Marine Inc. v. Barient, Inc.*, 827 F.2d 744, 747, 3 U.S.P.Q.2d 1766, 1768 (Fed. Cir. 1987), cert. denied, 484 U.S. 1007 (1988). Moreover, the single source must disclose all of the claimed elements "arranged as in the claim." *Structural Rubber Prods. Co. v. Park Rubber Co.*, 749 F.2d 707, 716, 223 U.S.P.Q. 1264, 1271 (Fed. Cir. 1984). The **test for anticipation** is symmetrical to the test for infringement and has been stated as: "That which would literally infringe [a claim] if later in time anticipates if earlier than the date of invention." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226,

1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989); *Connell v. Sears Roebuck & Co.*, 722 F.2d 1542, 1548, 220 U.S.P.Q. 1931, 1938 (Fed. Cir. 1983).

Claim 1 recites a data importer receiving an input including data to be imported into said database, an indication of one of said related groups that is associated with said data, and indications of parameters associated with said data, wherein said data importer appends one or more portions of said data associated with existing parameters to corresponding one or more existing tables associated with said existing parameters and having tables of said one of said related groups as references, appends data associated with new parameters to a new table created for said new parameters, and updates said data dictionary to include said identifications and information of said new table and new parameters. Yeager does not teach a data importer that appends data associated with new parameters to a table created for the new parameters. Instead, Yeager teaches that when a column identifier is detected that is not in the table, a user is asked to decide whether to create a new column in the existing table or ignore the data. See Col. 27, line 14-27. There is no teaching of creating a new table with the new parameter as recited in the claim. The advantage being that the new table with the new parameter may store the data in a related table without disturbing current relationships of the existing table. Thus, Yeager does not teach each and every limitation of claim 1. Therefore, Applicants respectfully request that the rejection of claim 1 be removed and claim 1 be allowed.
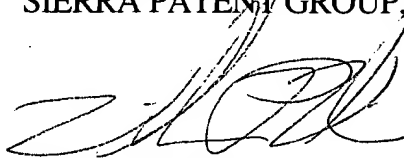
Claims 2-8 are dependent upon claim 1. Thus, claims 2-8 are allowable for at least the same reasons as claim 1. All other rejections to the claims are moot. Thus, Applicants respectfully request that claims 2-8 be allowed.

Claim 9 recites the method for adding the imported data performed by the data importer. Thus, claim 9 is allowable for at least the same reasons as claim 1. Therefore, Applicants respectfully request that claim 9 be allowed.

Claim 10 is dependent upon claim 9. Therefore claim 10 is allowable for at least the same reasons as claim 9 and Applicants respectfully request that claim 10 be allowed.

If the Examiner has any questions regarding this amendment or the application in general, the Examiner is invited to telephone the undersigned at 775-586-9500.

Respectfully submitted,
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Dated: May 10, 2005

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